

**BOARD OF COUNTY COMMISSIONERS  
BOARD MEETING  
PALM BEACH COUNTY, FLORIDA**

**ADDITIONS, DELETIONS, & SUBSTITUTIONS**

**APRIL 2, 2013**

<b><u>PAGE</u></b>	<b><u>ITEM</u></b>	
13	3E-4	<b><u>DELETED:</u> Staff recommends motion to approve:</b> Non-Financial Collaborative Agreement with Easter Seals Florida, Inc. for the period January 1, 2013, through September 30, 2015, to provide services to infants and toddlers with special needs enrolled in the Early Head Start program. (Further staff review) (Community Services)
15	3E-8	<b><u>DELETED:</u> Staff recommends motion to approve: A)</b> Adult Day Care Provider Participation Agreement with UnitedHealthcare of Florida, Inc., for the Division of Senior Services (DOSS) to provide Adult Day Care services as a service provider effective June 1, 2013; and...(Further staff review) (Community Services)
25	4B-2	<b><u>ADD-ON:</u> Staff recommends motion to approve on preliminary reading and advertise for a Public Hearing on April 16, 2013 at 9:30 a.m.:</b> an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, adopting rates for the Glades Utility Authority Service area; incorporating the rates into the Palm Beach County Water Utilities Department's Uniform Policies and Procedures Manual; providing for repeal of laws in conflict; providing for severability; providing for inclusion in the code of laws and ordinances; and providing for an effective date. <b>SUMMARY:</b> On January 15, 2013, the Palm Beach County Board of County Commissioners (County) approved the First Amendment to the Interlocal Agreement Establishing the Glades Utility Authority (First Amendment). Pursuant to the First Amendment, the County will absorb the Glades Utility Authority (GUA) water and wastewater system and customers and reduce current rates by 6.5%. These reduced rates will be charged to customers for a period of eight (8) years. After the initial eight (8) years, the GUA's rates will revert to the County's rates plus seven (7) percent. Existing GUA rates are approximately 75% higher than current County rates, and revenue from the rate differential will be used to pay debt service on the bonds being absorbed and to pay "Host Fees" to the Cities of Belle Glade, Pahokee, and South Bay. The proposed ordinance will adopt the rates currently being charged by the GUA and include those rates in Chapter 6 of the Water Utilities Department's Uniform Policies and Procedures (UPAP) Manual. The revision does not affect any rates currently being charged to existing Water Utilities customers. <u>District 6</u> (MJ) (Water Utilities)
26	4C-1	<b><u>TIME CERTAIN 5:45 P.M.:</u> Staff recommends motion to approve: A)</b> a Civic Site Dedication Agreement with Boynton Beach Associates XXIV, LLLP; Boynton Beach Associates XIX, LLLP; Delray Beach Associates I, LLC; Boca Raton Associates VI, LLLP; Atlantic Commons Associates, LLLP; Boca Raton Associates VII, LLLP; and Boca Raton Associates VIII, LLLP; and...(FDO)

- 29            4E-3            **ADD-ON:** **Staff requests direction on:** a request from Commissioner Shelley Vana for payment of a sponsorship fee of \$2,500 to the Central Palm Beach County Chamber of Commerce for support of the 2013 Florida Green, Energy & Climate Conference/Expo, May 22-23, 2013. **SUMMARY:** Commissioner Vana has requested that the County participate in the 2013 Florida Green, Energy & Climate Conference/Expo as a sponsor. Sponsor benefits include an exhibitors booth, conference passes, and inclusion of the County logo on all communications relating to the conference. This annual event joins together eco businesses with green energy leaders from municipalities, counties and regional agencies throughout the State of Florida to network and to learn and discuss sustainable ways of fulfilling Florida's energy needs through the development and use of renewable energy technology. It also showcases green technologies and sustainability concepts. There is no current board policy or budget line for paid sponsorship of non-County events. If the request is approved, staff recommends one-time use of promotional funds from the Department of Public Affairs operating budget. Prior to FY 09-10, event sponsorships were funded through the Recreation Assistance Program (RAP). Countywide (MJ) (Admin)
- 33            8C            **ADD-ON:** Request approval to present off-site, a Proclamation declaring April 2013 as "Distracted Driving Awareness Month" in Palm Beach County. (Sponsored by Commissioner Vana)

**NOTE:** Items that were revised, added, deleted, or backup submitted and were not listed on the addition/deletion sheet distributed to the Board the prior day are noted with an asterisk (\*).

**ORDER OF BUSINESS  
BOARD OF COUNTY COMMISSIONERS  
BOARD MEETING  
PALM BEACH COUNTY, FLORIDA**

**APRIL 2, 2013**

**TUESDAY  
5:00 P.M.**

**COMMISSION  
CHAMBERS**

- 1. CALL TO ORDER**
  - A. Roll Call
  - B. Invocation
  - C. Pledge of Allegiance
  
- 2. AGENDA APPROVAL/SPECIAL PRESENTATIONS**
  - A. Additions, Deletions, Substitutions
  - B. Adoption
  - C. Special Presentations (Page 6)
  
- 3. CONSENT AGENDA (Pages 7 - 21)**
  
- 4. REGULAR AGENDA (Pages 22 - 29)**  
**TIME CERTAIN 5:45 P.M. (GL Homes) (Page 26)**
  
- 5. BOARD APPOINTMENTS (Page 30)**
  
- 6. MATTERS BY THE PUBLIC – 6:00 P.M. (Page 31)**
  
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- 2C-2 National Crime Victims' Rights Week
- 2C-3 Month of the Young Child
- 2C-4 Sexual Assault Awareness Month
- 2C-5 Yom Hashoah Remembrance Day
- 2C-6 Drowning Prevention Awareness Month
- 2C-7 Palm Beach County Sheriff's Office Volunteer Day
- 2C-8 Welcome Home Heroes Day 2013
- 2C-9 Water Conservation Month
- 2C-10 75<sup>th</sup> Anniversary of St. Mary's Hospital and the Palm Beach Children's Hospital
- 2C-11 Workers Memorial Day

**CONSENT AGENDA**

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- 3A-1 Water Resources Task Force appointments

**B. CLERK & COMPTROLLER**

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- 3B-3 Contracts and claims settlements list
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- 3C-1 Contract with Transmark under Annual Pavement Marking Program

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- 3C-2 Contract with Johnson-Davis, Inc. for Nautical Way draining improvements project
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- 3C-8 Blanket approval for appraisal and acquisition of lands, rights-of-way and easements on FY 2013 projects identified in the 5-Year Road Program
- 3C-9 Work Task Order with Last Devenport, Inc. for design plans and bid documents relative to improvements to Lyons Road

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- 3C-10 Acceptance of four projects (Fargo Ave., portions of El Paso Dr., Pancho Way, and Pinto Dr.) into the Municipal Service Taxing Unit program
- 3C-11 Work Order No. 2013052-01 with Community Asphalt Corporation to mill/resurface county-maintained roads within the Aberdeen subdivision

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- 3D-1 Amendments to legal service authorizations with two firms for water utilities related issues
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3E-4 Non-Financial Collaborative Agreement with Easter Seals Florida, Inc. for services to infants and toddlers with special needs enrolled in the Early Head Start program

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3E-6 Pool of agencies to provide various training services for the Community Services Department

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3E-7 Amendments to Ryan White Part A HIV Health Support Services contracts with three agencies

3E-8 Agreements with UnitedHealthcare of Florida, Inc. for adult day care, in-home and community-based services to seniors

**F. AIRPORTS** - None

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**H. FACILITIES DEVELOPMENT & OPERATIONS**

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3H-4 Utility Easement Agreement in favor of FPL for underground electrical service to Stockade

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**I. ECONOMIC SUSTAINABILITY**

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**J. PLANNING, ZONING & BUILDING** - None

**K. WATER UTILITIES**

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3K-1 CSA No. 8 with A.D.A. Engineering, Inc. for services relative to the South County Water Services Replacement project

3K-2 Supplement No. 3 with Globaltech, Inc. for the Lake Region Water Treatment Plant – Energy Recovery System improvements

**L. ENVIRONMENTAL RESOURCES MANAGEMENT** - None

**M. PARKS & RECREATION**

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3M-1 Three independent contractor agreements

**N. LIBRARY** - None

**P. COOPERATIVE EXTENSION SERVICE** - None

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**R. HUMAN RESOURCES** - None

**S. FIRE RESCUE** - None

**T. HEALTH DEPARTMENT** - None

**U. INFORMATION SYSTEMS SERVICES** - None

**V. METROPOLITAN PLANNING ORGANIZATION** - None

**W. PUBLIC AFFAIRS** - None

**X. PUBLIC SAFETY**

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3X-1 Agreement with FSU to conduct evaluation of Family Drug Court program

**Y. PURCHASING** - None

**Z. RISK MANAGEMENT**

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3Z-1 Renewal of County's excess property, liability, and workers' compensation insurance program

**AA. PALM TRAN** - None

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3BB-1 High Intensity Drug Trafficking Area Program Grant

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4A-5 Hospital Revenue Bonds (Jupiter Medical Center)

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4D-1 Sequestration impacts

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4E-1 Letter to Congress opposing proposals changing tax-exempt status of municipal bonds

4E-2 Resolution regarding House Bill 97 relating to Concealed Weapons and Firearms

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**APRIL 2, 2013**

**2C. SPECIAL PRESENTATIONS – 5:00 P.M.**

1. Proclamation declaring May 19 – 25, 2013 as “Safe Boating Week” in Palm Beach County. (Sponsored by Commissioner Valeche)
2. Proclamation declaring April 21 – 27, 2013 as “National Crime Victims’ Rights Week” in Palm Beach County. (Sponsored by Commissioner Burdick)
3. Proclamation declaring April 2013 as “Month of the Young Child” in Palm Beach County. (Sponsored by Commissioner Vana)
4. Proclamation declaring April 2013 as “Sexual Assault Awareness Month” in Palm Beach County. (Sponsored by Commissioner Abrams)
5. Proclamation declaring April 7, 2013 as “Yom Hashoah Remembrance Day” in Palm Beach County. (Sponsored by Commissioner Berger)
6. Proclamation declaring April 2013 as “Drowning Prevention Awareness Month” in Palm Beach County. (Sponsored by Commissioner Santamaria)
7. Proclamation declaring April 26, 2013 as “Palm Beach County Sheriff’s Office Volunteer Day” in Palm Beach County. (Sponsored by Commissioner Taylor)
8. Proclamation declaring April 27, 2013 as “Welcome Home Heroes Day 2013” in Palm Beach County. (Sponsored by Commissioner Burdick)
9. Proclamation declaring April 2013 as “Water Conservation Month” in Palm Beach County. (Sponsored by Commissioner Berger)
10. Proclamation recognizing April 29, 2013 as the 75<sup>th</sup> Anniversary of St. Mary’s Hospital and the Palm Beach Children’s Hospital in Palm Beach County. (Sponsored by Commissioner Taylor)
11. Proclamation declaring April 28, 2013 as “Workers Memorial Day” in Palm Beach County. (Sponsored by Commissioner Vana)

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3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. **Staff recommends motion to ratify:** Jeff Hmara of the Village of Royal Palm Beach as a member of one of the League of Cities seats on the Palm Beach County Water Resources Task Force (Seat No. 5), and Milton Block of Jupiter Inlet Colony as an alternate for one of the League of Cities seats on the Palm Beach County Water Resources Task Force (Seat No. 2), effective April 2, 2013. **SUMMARY:** The Water Resources Task Force is comprised of 14 members: six (6) City elected officials; one County Commissioner; one special independent district water and/or wastewater provider or utility water or wastewater provider representative; one Lake Worth Drainage District representative; one drainage/water control district representative; one South Florida Water Management District Governing Board member; one environmental representative; one land owner actively farming to represent agricultural interests; one Indian Trail Improvement District representative. The resolution also requires designated alternates for each seat. Due to the recent resignation of a couple of League of Cities Task Force appointments, a new member and alternate is being submitted to be ratified by the Board of County Commissioners. Countywide (MJ)

B. CLERK & COMPTROLLER

1. **Staff recommends motion to approve:** Warrant List.
2. **Staff recommends motion to approve:** the following final minutes of the Board of County Commissioners' meetings: None
3. **Staff recommends motion to approve:** Contracts (regular) and claim settlements list as submitted by various departments to the Clerk & Comptroller's Office. Countywide
4. **Staff recommends motion to approve:** Destruction of the following Board of County Commissioners records, which have met the revised required State retention schedule:

Receipt/Revenue Records – FY 2003 thru FY 2007  
Financial Reports – FY 2003 thru 2007  
Bank Statements – Prior to FY 2007

**SUMMARY:** These records have met the required retention schedule of the Florida Division of Library and Information Services. (Ch 28.30, Ch 257.36(6)). Countywide (PFK)

C. ENGINEERING & PUBLIC WORKS

1. **Staff recommends motion to approve:** a Contract with Transmark, Inc. (Transmark) not to exceed a total value of \$685,000 for task orders which may be issued for the Annual Pavement Marking contract (Project). **SUMMARY:** Approval of this Contract will provide for the furnishing and installation of pavement marking material, raised reflectorized pavement markers, and traffic paint on an as needed basis for various roadways throughout Palm Beach County. The Small Business Enterprise (SBE) goal for the Project is 15%. None of the three low bidders met the SBE goal for this Project nor did they exceed 7% participation. The award recommendation to Transmark, the second low bidder, is based on the 5% local preference requirement. Transmark has a permanent place of business within Palm Beach County. Use of the local preference is expected to increase the cost by \$31,000. Countywide (MRE)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

2. Staff recommends motion to approve: a Contract with Johnson-Davis, Inc. (Johnson) in the amount of \$155,880 for the construction of Nautical Way (Hypoluxo Village) drainage improvements (Project). **SUMMARY:** Approval of this Contract will allow Palm Beach County to issue a notice to proceed to Johnson, a Palm Beach County company, to begin construction of the Project. The Small Business Enterprise (SBE) goal for the Project is 15%. The SBE participation proposed for the Project by Johnson is 15.55%. The award recommendation to Johnson, the second low bidder, is based on the 5% local preference requirement. Use of the local preference will increase the cost of the project by \$3,110.20. District 3 (MRE)
  
3. Staff recommends motion to:
  - A) adopt** a Resolution to amend the original projected assessment to the actual cost of the Michlar Drive, Tamis Trail and 105<sup>th</sup> Avenue South Paving and Drainage Improvement (Project) Project No. 2002136, from \$19,662.55 per lot to \$19,611.94 per lot;
  
  - B) authorize** the Tax Collectors Office to process and collect the assessment payments for the Project; and
  
  - C) approve** the transfer of Michlar Drive, Tamis Trail and 105<sup>th</sup> Avenue South to Palm Beach County owned and maintained roads.

**SUMMARY:** Finalization of the assessment roll for the Project in Section 36, Township 44, Range 41 is necessary so that the assessment payments can be processed and collected by the Tax Collector's Office. At the January 24, 2012 Public Hearing, the interest rate for the Project was established at 5.5%, payable over a twenty year period as directed by the Board of County Commissioners. District 6 (MRE)
  
4. Staff recommends motion to approve: an Annual Roadway Landscaping Contract (Contract) in an amount not to exceed the total value of \$863,000 with Superior Landscaping & Lawn Service, Inc., (Contractor), the lowest, responsive, responsible bidder. **SUMMARY:** Approval of this Contract will add a second contractor to provide services for all labor, materials, equipment and incidentals required to prepare the site to final grade, install landscape trees, plants, sod and irrigation systems in accordance with plans and as specified by various Palm Beach County Departments on an as needed basis. The Small Business Enterprise (SBE) goal for the Contract is 15%. The SBE participation committed to by the Contractor is 24.41%. Superior Landscaping & Lawn Service, Inc. has a permanent place of business within Palm Beach County. Countywide (MRE)
  
5. Staff recommends motion to approve: Change Order No.1 in the amount of \$306,145 and a 60 day time extension to the construction contract R2012-1211 with J.W. Cheatham LLC for the Seminole Pratt Whitney Road from south of the 'M' Canal to south of Orange Boulevard project (Project). **SUMMARY:** Approval of Change Order No.1 will compensate for the costs and additional time to install water main and force main stub-outs per Attachment 2 A and B of the contract. Change Order No. 1 is being brought to the Board of County Commissioners because the value exceeds the approval authority of the department and the Contract Review Committee as referenced in PPM No. CW-F-050. District 6 (MRE)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

6. Staff recommends motion to approve: Change Order No. 6 in the amount of \$44,677.38 and a 45 day time extension to the construction contract R2012-0674 with AKA Services, Inc. for the Limestone Creek Drive Improvements, Phase IIC project (Project). **SUMMARY:** Approval of Change Order No. 6 will compensate for the costs and additional time associated with added drainage and structures along with the connection to and relocation of existing structures per Attachments 2A, B, and C of the contract. Per PPM CW-F-050, the threshold to decide approval authority must be calculated by multiplying the number of days by the daily delay charge and actual cost. This total of \$108,712.38 puts Change Order Number 6 over the threshold requiring Board approval. District 1 (MRE)

7. **DELETED**

8. Staff recommends motion to approve:

**A)** a blanket approval for appraisal and acquisition of the lands, rights-of-way, and easements on all Fiscal Year 2013 projects as identified in the Five Year Road Program Annual Update, as adopted on December 18, 2012, with the exception of the Lyons Road (Lake Worth Road to north of the L-10 Canal) project; and

**B)** the employment of all experts, including but not limited to real estate appraisers, engineers, certified public accountants, business damage experts, and other experts, deemed necessary to appraise and acquire the before mentioned lands, rights-of-way, and easements.

**SUMMARY:** On December 18, 2012, the Board of County Commissioners adopted the Annual Update of the Five Year Road Program for Fiscal Year 2013 through Fiscal Year 2017. Approval of this item will provide for the acquisitions necessary to accomplish the road goals set therein. Countywide (MRE)

9. Staff recommends motion to approve: a Work Task Order to Annual Agreement R2010-0592 in the amount of \$146,879.34 with Last Devenport, Inc. (LDI) for professional services. **SUMMARY:** Approval of this work task order will provide the professional services necessary for the preparation of a design study, design plans and construction bid documents for Lyons Road from Hillsboro Canal to Southwest 18<sup>th</sup> Street (Project). The Small Business Enterprise (SBE) goal for the Project is 15%. The SBE participation committed for this Project by LDI is 100%. LDI is a Palm Beach County company and is a certified SBE. District 5 (MRE)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

10. Staff recommends motion to approve:

**A)** the acceptance of the following four projects into the Municipal Service Taxing Unit (MSTU) program: Fargo Avenue, El Paso Drive to Arrowhead Drive; El Paso Drive, Pancho Way and Pinto Drive east of Blanchette Trail; Myrtle Drive and 47<sup>th</sup> Way South, dead end to Raulerson Drive; and Hairland Drive, dead end to west of Military Trail (Projects); and

**B)** a Budget Transfer of \$700,000 in the Unincorporated Improvement Fund from Reserves to Fargo Avenue, El Paso Drive to Arrowhead Drive (\$150,000); El Paso Drive, Pancho Way and Pinto Drive east of Blanchette Trail (\$350,000); Myrtle Drive and 47<sup>th</sup> Way South, dead end to Raulerson Drive (\$100,000); and Hairland Drive, dead end to west of Military Trail (\$100,000).

**SUMMARY:** Approval of the acceptance of the Projects into the MSTU program and the budget transfer will allow the Engineering and Public Works Department to begin the MSTU program process for the four Projects. The funds will be used for the design, advertising, permitting, and staff costs during the design process. Districts 2 & 6 (MRE)

11. Staff recommends motion to approve: Work Order No. 2013052-01 in the amount of \$265,000 to mill and resurface the county-maintained residential roads within the Aberdeen subdivision (Improvements) utilizing Palm Beach County's (County) Annual Asphalt Milling and Resurfacing Contract R2013-0235 with Community Asphalt Corporation. **SUMMARY:** Approval of this Work Order will provide the contractual services necessary to construct the Improvements. Per County PPM CW-F-050, this work order exceeds the threshold relating to staff approvals of contracts, thus requiring the Board of County Commissioners' approval. District 3 (MRE)

3. CONSENT AGENDA APPROVAL

D. COUNTY ATTORNEY

1. Staff recommends motion to approve:

**A)** Third Amendment to Legal Services Authorization 2011-0352-B with de la Parte & Gilbert, P.A., for legal services related to water policy issues;

**B)** Second Amendment to Legal Services Authorization 2011-0352-C with de la Parte & Gilbert, P.A., for miscellaneous legal services related to water utilities regulatory issues;

**C)** Second Amendment to Legal Services Authorization 2011-0353-A with Sundstrom, Friedman & Fumero LLP, for legal services related to the Water Utilities Department's sustainable business plan, modification of service availability policies, ratemaking, and related matters; and

**D)** Second Amendment to Legal Services Authorization 2011-0353-B with Sundstrom, Friedman & Fumero, LLP, for miscellaneous legal services related to complex utilities projects/agreements.

**SUMMARY:** On March 15, 2011, the Board of County Commissioners approved agreements with de la Parte & Gilbert, P.A. (R2011-0352) and Rose Sundstrom & Bentley, LLP (R2011-0353) for legal services related to water utilities issues. Pursuant to those agreements, work assignments were to be authorized by Legal Services Authorizations. On May 3, 2011, the Board of County Commissioners approved Legal Services Authorizations 2011-0352-B (R2011-0601) and 2011-0352-C (R2011-0602) with de la Parte & Gilbert, P.A, and Legal Services Authorizations 2011-0353-A (R2011-0598) and 2011-0353-B (R2011-0599) with Rose, Sundstrom & Bentley, LLP, now known as Sundstrom, Friedman & Fumero, LLP. The Second Amendment to Legal Services Authorizations 2011-0352-C, 2011-0353-A, and 2011-0353-B, and the Third Amendment to Legal Services Authorization 2011-0352-B, all extend the term of the Legal Services Authorizations for one year to March 14, 2014. Countywide (MWJ)

2. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida, amending the County Administrative Code by updating various Administrative Code sections to reflect current County practices and organization and correct erroneous language as shown on the revised Administrative Code, and providing an effective date. **SUMMARY:** The County Administrative Code has been adopted by the Board as required by Section 125.87, Florida Statutes. The adopted County Administrative Code has been amended several times, but does not reflect current County administrative practices and organization and contains erroneous language. The proposed resolution amends the County's Administrative Code by updating these Code provisions. The revised Code with the revised language shown as underlined and strike-through is attached as Exhibit "A" to the Resolution. Countywide (PFK)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

1. Staff recommends motion to approve:

**A)** Contract for Provision of Services with Governor's Council for Community Health Partnerships, Inc. for the period March 1, 2013, through September 30, 2013, in an amount not to exceed \$442,979 for Summer Camp Scholarships; and

**B)** Budget Transfer of \$8,750 in the General Fund from Human Services Admin to Financially Assisted Agencies to fund the administrative cost associated with delivering the program.

**SUMMARY:** The Summer Camp Scholarship Program pays full tuition and associated fees for eligible children to attend day camp during the summer months. Palm Beach County Board of County Commissioners has allocated \$434,229 for this fiscal year to fund summer camp scholarships for eligible children. An additional \$8,750 is being provided from the Human Services Division budget for administrative costs. Governor's Council for Community Health Partnerships, Inc. (GCCHP) receives these funds, which are matched by Children's Services Council of Palm Beach County, in addition to other grants and private donations. Combined, these funds result in the ability to provide 1,400 scholarships to Palm Beach County children to attend over 75 camps. GCCHP processes payments to the specific summer camp vendors based on invoices received from the Human Services Division. GCCHP maintains financial records, reports of payments and receipts for summer camp funding which is audited annually. (Human Services) Countywide (TKF)

2. Staff recommends motion to approve:

**A)** Amendment No. 03 to Contract for Provision of Services with Adopt-A-Family of the Palm Beaches, Inc. (R2012-0613), for the period October 1, 2012, through September 30, 2013, to decrease funding for engagement, interim housing and rapid re-housing services to homeless families by \$4,575 for a new total amount not to exceed \$1,426,512;

**B)** Downward Budget Amendment of \$154,575 in the General Fund, Human Services Division to adjust the budget due to decrease in inter-fund transfer; and

**C)** Budget Transfer reallocating \$154,575 in operating transfers in the Department of Economic Sustainability Program budget for fiscal year 2012-2013.

**SUMMARY:** Department of Economic Sustainability (DES) was allocated Rapid Re-Housing funds in FY 2012-2013 through the Emergency Solutions Grant (ESG). The funds were subsequently transferred to the Division of Human Service's budget for program implementation. It has now been determined that direct contracting of the housing services by DES will facilitate the federal reporting requirements and specifications of this grant. To accomplish the reassignment to DES, a budget amendment and transfer is required. The Adopt-A-Family contract also must be amended to reflect the removal of the ESG funds and the addition of supplemental rapid re-housing funds approved by the Board of County Commissioners on March 12, 2013 (Agenda Item 4.F.) (Human Services) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

3. **Staff recommends motion to approve:** Agreements with Children's Services Council of Palm Beach County for the period of October 1, 2012, through September 30, 2013, in an amount totaling \$454,964:

A) \$157,413 for Early Head Start services; and

B) \$297,551 for Head Start services.

**SUMMARY:** These Agreements will allow County to receive matching funds from Children's Services Council of Palm Beach County in an amount not to exceed \$157,413 to provide full day/full year comprehensive Early Head Start services to a total of 180 pregnant mothers and infants/toddlers, and in an amount not to exceed \$297,551 to provide full day/full year Head Start services to 1,871 three to five year old children and their families. Services include comprehensive health, education, parental involvement, nutritional, social and other services. The Head Start/Early Head Start program has received a total grant award of \$17,332,712 from the U.S. Department of Health and Human Services with a requirement that 20% matching funds be provided by local sources. A partial 20% match is being provided through these agreements with the remaining match funds being provided by the County. (Head Start) Countywide (TKF)

4. **~~DELETED: Staff recommends motion to approve:~~** ~~Non-Financial Collaborative Agreement with Easter Seals Florida, Inc. for the period January 1, 2013, through September 30, 2015, to provide services to infants and toddlers with special needs enrolled in the Early Head Start program.~~ **SUMMARY:** Federal and State initiatives encourage the development of collaborative agreements between agencies. This Agreement will reduce duplication of services; facilitate improved service delivery for infants and toddlers and more effectively utilize available resources. No County funds are required. (Head Start) Countywide (TKF)

5. **Staff recommends motion to receive and file:** Amendment No. 001 to Standard Agreement No. IP012-9500 (R2012-1633) for Emergency Home Energy Assistance for the Elderly Program (EHEAP) with Area Agency on Aging of Palm Beach/Treasure Coast, Inc. (AAA) for the period August 1, 2012, through June 30, 2015, to increase the EHEAP crisis benefit amount of the agreement by \$10,300, amend paragraph 4, revise and replace Attachment III Exhibit 1, and revise and replace Attachment VII Budget Summary for a new total contract amount not to exceed \$158,261. **SUMMARY:** This Amendment increases the crisis benefits amount directly paid by AAA by \$10,300. The amount received by the County for Outreach and Administration did not change. This receive and file item is being submitted in accordance with Countywide PPM No. CW-O-051 to allow the Clerk's Office to note and receive this amendment which was executed by the County Administrator in accordance with Resolution R2010-1942 which delegated authority to the County Administrator, or his designee, to sign documents related to DOSS/AAA grant amendments. (DOSS) Countywide except for portions of Districts 3, 4, 5, and 7 south of Hypoluxo Road (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

6. Staff recommends motion to:

**A) approve** the listed pre-qualified public and non-profit pool of agencies to provide various training services for the Community Services Department on an as needed basis selected in accordance with a request for services solicitation (RFS) completed on February 24, 2013; and

**B) delegate authority** to the County Administrator, or his designee, to sign the contracts for the Farmworker and Community Action Programs to provide employment and self sufficiency training to program participants effective from April 2, 2013, for amounts not to exceed \$50,000, and to the Department Director, for amounts not to exceed \$10,000.

**SUMMARY:** The Community Services Department issued an RFS and the agencies listed in Attachment "A" to the Agenda Item responded to the request. Community Action and Farmworker Programs will conduct program information sessions and identify the requested service areas for respondents to submit formal proposals. Agencies that submit a proposal will outline their qualifications, their ability to deliver the output and outcomes, and their pricing. A selection committee will review the proposals and recommend awards that are in the best interest of the County. The award amounts will be based on the allocations outlined in the approved annual Community Action and Farmworker budgets. The majority of the training funds (approximately 85%) are provided by the Community Service Block Grant (CSBG) and Farmworker Grant. The remaining percentage is County ad-valorem matching funds. The agencies selected will provide training to low income individuals and families who reside within Palm Beach County. Community Services provides services under several categories including entrepreneurship, employment skills, health and wellness, education, childcare, and life skills. (Community Services) Countywide (TKF)



3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

7. Staff recommends motion to receive and file:

**A)** Amendment No. 1 to Ryan White Part A HIV Health Support Services (Supplemental) Contract with Legal Aid Society of Palm Beach County, Inc. (R2012-0818), for the period March 1, 2012, through February 28, 2013, to increase funding for Legal Services by \$40,900 for a new total contract amount not to exceed \$99,831;

**B)** Amendment No. 4 to Ryan White Part A HIV Health Support Services (Formula) Contract with Comprehensive AIDS Program of Palm Beach County, Inc. (R2012-0597), for the period March 1, 2012, through February 28, 2013, to increase funding for Non Medical Case Management Determining Eligibility Units by \$25,000, Non Medical Case Management Supportive Services by \$25,000 and Health Insurance Continuation by \$10,000 for a new total contract amount not to exceed \$1,345,202; and

**C)** Amendment No. 4 to Ryan White Part A HIV Health Support Services (Formula) Contract with Compass, Inc. (R2012-0483), for the period March 1, 2012, through February 28, 2013, to increase funding for Medical Case Management by \$13,432, Mental Health Counseling by \$36,000, Food Bank/Home Delivered Meals by \$16,210 and decrease funding for Medical Transportation by \$6,000, Non Medical Case Management Determining Eligibility-FTE by \$21,747 and Non Medical Case Management by \$37,895 for a budget transfer between services without affecting the total contract amount not to exceed \$385,632.

**SUMMARY:** Ryan White HIV Health Support service dollars are reviewed throughout the contract year and reallocated to best meet the needs of affected clients. These amendments are reallocated dollars from unencumbered funds and for a budget transfer between services without affecting the overall contract amount. These funds will allow our system of care to provide additional medical and support services to Palm Beach County residents living with HIV/AIDS. These amendments were executed by the County Administrator in accordance with Resolution R2010-1074, which delegated authority to the County Administrator, or his designee, to sign documents related to the Ryan White Part A HIV Emergency Relief Grant and are being submitted in accordance with Countywide PPM No. CW-O-051 to allow the Clerk's Office to note and receive these items. No County funds are required. (Ryan White) Countywide (TKF)

8. ~~**DELETED:** Staff recommends motion to approve:~~

~~**A)** Adult Day Care Provider Participation Agreement with UnitedHealthcare of Florida, Inc., for the Division of Senior Services (DOSS) to provide Adult Day Care services as a service provider effective June 1, 2013; and~~

~~**B)** Home Health Care Provider Participation Agreement with UnitedHealthcare of Florida, Inc., for DOSS to provide In-Home and Community-based services as a service provider effective June 1, 2013.~~

**SUMMARY:** These agreements will allow DOSS to become a service provider with UnitedHealthcare of Florida, Inc. (United). United is one of four Medicaid managed care providers selected by Florida's Agency for Health Care Administration and the Department of Elder Affairs Medicaid's Long Term Care Managed Care Program (LTMCP). These agreements will allow DOSS to continue to provide services to Medicaid recipients and to receive payments under LTMCP. Estimated annual revenue from these agreements is approximately \$118,948. Approval to negotiate these agreements was granted by the Board of County Commissioners on January 15, 2013 (Agenda Item 3E-6). (DOSS) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

1. **Staff recommends motion to receive and file:** the notice of termination letter dated February 13, 2013 from the Town of Lake Clarke Shores advising that the Fleet Management Interlocal Agreement (R2005-1480) amended on October 5, 2010 (R2010-1533) is terminated effective April 13, 2013. **SUMMARY:** On August 16, 2005, the Board approved an Agreement for fleet management services with the Town of Lake Clarke Shores with an expiration date of February 3, 2011 (R2005-1480) which was renewed for an additional five year term on October 5, 2010 (R2010-1533) with an expiration date of February 2, 2016. On February 14, 2013 staff received a letter notifying the County of termination of the Agreement pursuant to Section 10 which provided for termination by either party with or without cause, upon 60 days advance notice. The effective date of cancellation is April 13, 2013. This item will confirm receipt of the notice of cancellation. (Fleet Management) Countywide (JM)
  
2. **Staff recommends motion to approve:** a U.S. Army Corps of Engineers (USACE) Consent to Easement to construct a staging dock extension at Burt Reynolds Park, Jupiter. **SUMMARY:** In February 2011, the Board approved a USACE Consent to Easement (R2011-0119) for the extension of the staging dock to 279'. During the construction of the dock, the dock permit was modified to reduce the height of the dock and increase the easement area from 0.02 acres to 0.03 acres to accommodate the proposed construction. This Consent to Easement will replace and supersede the USACE Consent to Easement granted to Palm Beach County dated February 18, 2011. The USACE requires a \$300.00 administrative fee for processing the consent. (PREM) District 1 (HJF)
  
3. **Staff recommends motion to receive and file:** notice of exercise of the fourth option to extend under the Lease Agreement with Theodore W. Winsberg and Gertrude K. Winsberg (R99-842D) for the Winsbergs' continued agricultural use of approximately 60 acres located on Hagen Ranch Road in Boynton Beach. **SUMMARY:** In 1996, the County purchased 175 acres of property from the Winsbergs for the development of the Water Utilities Department's Green Cay Wetlands Water Reclamation project. The property is located off Hagen Ranch Road between Boynton Beach Boulevard and Atlantic Boulevard. The Board approved the original Lease Agreement in May of 1999 (R99-842D), which allowed the Winsbergs to continue to farm the property until the Water Utilities Department (WUD) was ready to construct its project. Over time, as WUD constructed phases of the Water Reclamation Project, the area leased to the Winsbergs was reduced and the Winsbergs currently lease approximately 60 acres. The next phase of the Water Reclamation Project is not expected to be implemented within the next five years. In April of 2008, the Board approved the Fourth Amendment (R2008-0629) which extended the term of the Lease Agreement through May 1, 2010, and provided the Winsbergs with ten additional one year options to extend the term of the Lease Agreement. Exercising this forth option will extend the term of the Lease Agreement through May 1, 2014. The Winsbergs have the right to exercise their option and the Board has no discretionary authority to not allow the exercise of the option. The County will continue to have the right to terminate this Lease upon 120 days notice. The annual rental rate for this option period will continue to be \$1/yr. Six - one year options remain available to the Winsbergs. All other terms of the Lease Agreement remain in full force and effect. (PREM) District 5 (HJF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

4. Staff recommends motion to approve: a Utility Easement Agreement in favor of Florida Power & Light Company (FPL) for underground electrical service within the County's Central Detention Center (Stockade) in unincorporated West Palm Beach. **SUMMARY:** As part of the infrastructure improvements for the future expansion of the Stockade property, FPL requires an easement. The infrastructure improvements and demolition of existing buildings require that the FPL power service for the area be re-routed. The easement includes two 10' easement areas being approximately 1,232.30' and 1,661.89' in length. The combined easement area total is approximately 2,894.19 sq. ft. (0.07 acres). There are three FPL easements on this site that will no longer be needed as a result of the granting of this easement. FPL is processing releases for these particular easement areas. This non-exclusive easement is being granted at no charge as it will benefit the Stockade facilities. (PREM) District 6 (HJF)
  
5. Staff recommends motion to approve: the South County Courthouse Complex Expansion re-plat. **SUMMARY:** In November 2002, the County, the City of Delray Beach (City), the Delray Beach Public Library (Library) and the Delray Beach Community Redevelopment Agency (CRA) entered into an Agreement (R2002-1980) regarding the design, construction, operation and future expansion of parking facilities to serve the South County Courthouse, a new library and the future redevelopment on West Atlantic Avenue. The Agreement provided for construction of a parking garage and surface parking on County owned land to meet the needs of the Courthouse expansion and the Library which is located on an adjacent parcel owned by the City. The expansion of the parking facilities and construction of the library were completed in 2004 and 2005, respectively. As a condition of the City's approval for the construction of the parking garage and the Library, the City required that the City-owned and County-owned parcels be re-platted. The County will sign the plat as one of the property owners. (PREM) District 7 (HJF)

I. ECONOMIC SUSTAINABILITY

1. Staff recommends motion to receive and file: three Agreements, three Amendments to Agreements, and one Partial Release of Mortgage, as follows:
  - A) Amendment No. 004 to the Agreement (R2011-1030) with Community Land Trust of Palm Beach County, Inc. under the Neighborhood Stabilization Program 2 (NSP2);
  - B) Amendment No. 004 to the Agreement (R2011-1031) with Westgate/Belvedere Homes Community Redevelopment Agency under NSP2;
  - C) Amendment No. 003 to the Agreement (R2011-1029) with Neighborhood Renaissance, Inc. under NSP2;
  - D) Partial Release of Mortgage in connection with the Pine Run Villas project as funded under NSP2 and the Home Investment Partnership Program (HOME);
  - E) Agreement with the Palm Beach County Housing Authority under the Neighborhood Stabilization Program 3 (NSP3);
  - F) Agreement with Pahokee Housing Authority, Inc. under NSP3; and
  - G) Grant Agreement with HTG McClure, LLC under NSP3.

**SUMMARY:** In accordance with County PPM CW-0-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. The Agreements, Amendments and Partial Release of Mortgage have been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator, or designee, in accordance with Agenda Items R2009-1122, R2011-0082 and 5C-2, as approved by the Board on July 7, 2009, January 11, 2011 and June 5, 2012, respectively. These executed documents are now being submitted to the Board to receive and file. **These Federal NSP2, NSP3 and HOME funds require no local match.** (DES Contract Development) Districts 2, 3, 6 & 7 (TKF)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

1. **Staff recommends motion to approve:** Consultant Services Authorization No. 8 for the South County Water Services Replacement Project – Phase III to the contract for Engineering/Professional Services for the Survey and Engineering Design (R2011-0634) with A.D.A. Engineering, Inc. in the amount of \$169,135.72. **SUMMARY:** On June 3, 2011, the Palm Beach County Board of County Commissioners approved the Water Utilities Department (WUD) Engineering/Professional Services Contract with A.D.A. Engineering, Inc. (R2011-0634). This Consultant Services Authorization No. 8 provides for the survey and engineering design for the replacement of potable water services and asbestos concrete water mains in three (3) areas within South County as follows: Area 1 – Sandalfoot Cove: located in southwest Boca Raton (west of Lyons Road and just south of Palmetto Park Road); Area 2 – Boca Dunes: located in southwest Boca Raton (west of Lyons Road and just north of SW 18th Street); Area 3 – Spanish Isles; located in southwest Boca Raton (north of Spanish Isles Boulevard, between Lyons Road and State Road 7). The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15.00% overall. The contract with A.D.A. Engineering, Inc. provides for SBE participation of 87.00% overall. This Authorization includes 66.01% overall participation. The cumulative SBE participation, including this Authorization, is 80.28% overall. A.D.A. Engineering, Inc. is a Palm Beach County company. (WUD Project No. 13-031) District 5 (JM)
  
2. **Staff recommends motion to approve:** Supplement No. 3 to Work Authorization No. 50 with Globaltech, Inc. (R2011-0957) for Lake Region Water Treatment Plant (WTP) Energy Recovery System Improvements in the amount of \$180,385.41 and increasing the contract time by 240 days. **SUMMARY:** On June 21, 2011, the Palm Beach County Board of County Commissioners (BCC) approved Work Authorization No. 50 with Globaltech, Inc. (R2011-0957) for Lake Region WTP Energy Recovery System Improvements in the amount of \$1,799,365. This Supplement increases the contract time by 240 days and contract amount by \$180,385.41. The original Work Authorization provided for the installation of Energy Recovery Devices (ERD's) in all four membrane trains at the Lake Region WTP. When existing equipment and materials were disassembled to install the ERD's, it was discovered that several equipment and material items, not included in the original scope of work, were deteriorated and not functioning properly. These items included control valves, check valves, orifice flow meter, pressure gauges and stainless steel piping and needs to be replaced before installation of the ERD's can proceed. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15% overall. The contract with Globaltech, Inc. provides for SBE participation of 75% overall. This Supplement includes 97.22% overall SBE participation. The cumulative SBE participation, including this Supplement is 76.91% overall. Globaltech, Inc. is a Palm Beach County company. (WUD Project No. 11-114) District 6 (JM)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION

1. Staff recommends motion to receive and file: executed Independent Contractor Agreements received during the month of February:

A) Palm Beach County Officials Association, Inc., Basketball Official, West Boynton Recreation Center, for the period April 27, 2013, through June 2, 2013;

B) Michael Alford, Basketball Official, Westgate Recreation Center, for the period March 2, 2013, through April 13, 2013; and

C) Arthur Gibson, Basketball Official; Westgate Recreation Center, for the period March 9, 2013, through April 20, 2013.

**SUMMARY:** In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants must be submitted by the initiating Department as a Receive and File Agenda Item. These Independent Contractor Agreements have been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator/Director/Assistant Director of the Parks and Recreation Department in accordance with Resolution 94-422, amended by Resolutions 2002-2103, 2007-0409, and 2012-0168, and are now being submitted to the Board to receive and file. Districts 3 & 7 (AH)

Q. CRIMINAL JUSTICE COMMISSION

1. Staff recommends motion to approve: the First Amendment to an Interlocal Agreement with the City of Riviera Beach adding \$50,000 for the period October 1, 2012, to September 30, 2013, to support the Civil Drug Court with case management and substance abuse treatment. **SUMMARY:** The Board of County Commissioners approved an Interlocal Agreement with the City of Riviera Beach on November 20, 2012 (R2012-1758) in the amount of \$40,000. The Criminal Justice Commission has approved an additional \$50,000 from the Crime Prevention Fund for the same project and time frame. The Civil Drug Court Program located in the City of Riviera Beach provides case management services and contracts for residential and outpatient substance abuse services arising from court ordered treatment for indigent clients. Countywide (PGE)

X. PUBLIC SAFETY

1. Staff recommends motion to approve: the Agreement with the Florida State University Board of Trustees (FSU) to conduct an evaluation of the federally grant-funded Palm Beach County Family Drug Court Program in an amount not to exceed \$15,000 for the period April 2, 2013, through August 31, 2013. **SUMMARY:** The Palm Beach County Family Drug Court Program is funded by a federal grant, through the Office of Justice Programs. It has been operational since 2009 and an evaluation of the program is needed to assess the effectiveness and to assist in future program development. The essential issues to be addressed in the evaluation is the program criteria and whether the program participants discontinued their substance abuse and if they were ultimately reunified with their families. The last deliverable, a final report, will consist of an executive summary, description of the evaluation goals and objectives, description of the research methodology, presentation of main findings, lessons learned, recommendations, and appendices. The final report will be presented to a Family Drug Court Advisory Board for review, discussion and future program directives. The results of the evaluation may assist staff in applying for future grant funding. The Division of Justice Services advertised for a request for services to perform the evaluation and received two proposals, one from the University of Florida and one from FSU. A selection committee reviewed both proposals, scored FSU satisfactory, and is recommending the award on this contract. This Agreement is 100% funded by the Family Drug Court federal grant. Countywide (PGE)

3. CONSENT AGENDA APPROVAL

Z. RISK MANAGEMENT

1. **Staff recommends motion to approve:** renewal of the County's excess property, liability, and workers' compensation insurance program for the period April 1, 2013, through March 31, 2014 purchased through the County's contracted broker, Arthur J. Gallagher Risk Management Services, Inc., under Contract No. 10-042R/LJ, for a total cost not-to-exceed \$11,885,676. **SUMMARY:** The projected 2013-2014 renewal figures reflect a challenging insurance market for property and an exceptionally hard market for excess workers' compensation, while the liability insurance market remains stable. As a result, staff recommends purchasing statutory/uncapped excess coverage for workers' compensation above an increased self-insured retention (SIR) of \$2.5M for the first occurrence and \$2M for each occurrence thereafter. The County SIR document will be amended and restated to reflect the change from the expiring policy, which contains an SIR of \$1M per occurrence and excess coverage capped at \$2M. Of the various options considered in the current market, the recommended coverage levels offer the most favorable terms. Property and liability coverage levels remain the same as the expiring policy and the County's total insured value currently stands at \$2.35 billion dollars. The total not-to-exceed cost of \$11,885,676 represents an increase of 3% over the expiring program. The cost of the program is also impacted by a variety of state mandated surcharges and assessments. Sufficient funds are budgeted in FY 2013 for this coverage. Countywide (TKF)

BB. SHERIFF

1. **Staff recommends motion to:**
  - A) accept** on behalf of the Palm Beach County Sheriff's Office, a High Intensity Drug Trafficking Area Program grant in the amount of \$50,403, for the Palm Beach Narcotics Task Force, for the period of January 1, 2013, through December 31, 2014; and
  - B) approve** a Budget Amendment of \$50,403 in the Sheriff's Grant Fund.

**SUMMARY:** On January 31, 2013, the Palm Beach County Sheriff's Office received an award from the Office of National Drug Control Policy. The funds will be used for overtime reimbursement and other expenses associated with the Palm Beach Narcotics Task Force. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required. Countywide (PGE)

3. CONSENT AGENDA APPROVAL

BB. SHERIFF (Cont'd)

2. **Staff recommends motion to approve:** a Budget Transfer of \$94,450 from the Law Enforcement Trust Fund (LETf) to the Palm Beach County Sheriff's Office (PBSO). **SUMMARY:** Florida Statute 932.7055(5) provides that the seizing agency shall use Forfeiture proceeds for school resource officer, crime prevention, safe neighborhood, drug abuse education and prevention programs, or for other law enforcement purposes, which include defraying the cost of protracted or complex investigations, providing additional equipment or expertise, purchasing Automated External Defibrillators, and providing matching grant funds. F.S. 932.7055(5) also requires that no less than 15% of the LETf's previous year's revenues be used for the support or operation of drug treatment, drug abuse education, drug prevention, crime prevention, safe neighborhood and school resource officer programs of various non-profit organizations. The PBSO's FY 2013 estimated donation requirement will not be finalized until year-end close-out. The PBSO's support of these programs exemplifies its strong commitment to the prevention and reduction of crime throughout the communities it serves and its desire to put money back into these communities to support organizations that provide such services. The year-to-date transfer for all donations to outside organizations after approval of this item is \$697,127. The funds are requested here are to aid PBSO and qualified organizations that meet the requirements set forth in F.S. 932.7055. Use of LETf requires approval by the Board, upon request of the Sheriff. The current State LETf balance is \$1,908,800. Approval of this request will reduce the State Law Enforcement Trust Fund balance to \$1,814,350. The PBSO certifies that the use of these funds is in accordance with F.S. 932.7055. Below is a table indicating the organizations the PBSO seeks to fund and the corresponding amount of funding proposed per respective organization or agency. No new positions are needed and no additional County funds are required. Countywide (PGE)

ORGANIZATION	AMOUNT
National Campaign to Stop Violence – Do the Write Thing	\$2,500
PBSO – Court Services	\$56,950
The First Tee of the Palm Beaches, Inc.	\$35,000
<b>Total Amount</b>	<b>\$94,450</b>

CC. SUPERVISOR OF ELECTIONS

1. **Staff recommends motion to approve:** Precinct boundary changes submitted by Susan Bucher, Supervisor of Elections, as required by section 101.001(1), Florida Statutes. **SUMMARY:** Precinct boundary changes as indicated. District 1 (TKF)

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4. REGULAR AGENDA

A. ECONOMIC SUSTAINABILITY

1. Staff recommends motion to:

**A) conceptually approve** a Job Growth Incentive (JGI) Grant in the amount of \$64,000 with SolarTech Universal, LLC;

**B) adopt** a Resolution by the Board of County Commissioners of Palm Beach County, Florida, recommending approval of SolarTech Universal, LLC, a newly created corporate entity, as a Qualified Target Industry (QTI) business pursuant to S. 288.108, Florida Statutes; providing for local financial support for the Qualified Target Industry Tax Program not to exceed \$64,000; and

**C) authorize** the Office of Financial Management and Budget to administratively process a \$64,000 Budget Transfer from the General Fund Contingency Reserves to the Department of Economic Sustainability JGI Program and a budget amendment of \$64,000 to recognize the funds in the Economic Development Fund, following approval of the agreement.

**SUMMARY:** SolarTech Universal, LLC is a solar panel manufacturing company based in New York. The company desires to establish a manufacturing and research and development facility in either Florida, Georgia, North Carolina, or South Carolina. The company is considering establishing the new facility in Riviera Beach. The company anticipates a total capital investment of \$11.7 million and the creation of 80 new permanent full-time jobs within three years with an average annualized wage of \$47,000, excluding benefits. Enterprise Florida is recommending to the State of Florida a QTI in the amount of \$640,000 of which \$128,000 is the required local match. The City of Riviera Beach has agreed to provide half of the local match in the amount of \$64,000. The County's one half of the local contribution will be in the form of a Job Growth Incentive Grant in the amount of \$64,000. The Job Growth Incentive will be secured by a Letter of Credit or Bond. The five year local Economic Development Return on Investment is anticipated to be \$85 million. The company will be required to enter into a formal agreement, approved by the Board of County Commissioners, memorializing their commitments and establishing criteria for funding distribution. **Funding from the JGI Grant will come from the General Fund Contingency Reserves.** District 7 (DW)



4. REGULAR AGENDA

A. ECONOMIC SUSTAINABILITY (Cont'd)

2. Staff recommends motion to:

**A) conceptually approve** a Job Growth Incentive (JGI) Grant in the amount of \$24,500 for Project Shield;

**B) adopt** a Resolution by the Board of County Commissioners of Palm Beach County, Florida, recommending approval of Project Shield, an existing Florida corporation, as a Qualified Target Industry (QTI) business pursuant to S. 288.108, Florida Statutes; providing for local financial support for the Qualified Target Industry Tax Program not to exceed \$24,500; and

**C) authorize** the Office of Financial Management and Budget to administratively process a \$24,500 budget transfer from the General Fund Contingency Reserves to the Department of Economic Sustainability JGI Program and a budget amendment of \$24,500 to recognize the funds in the Economic Development Fund, following approval of the agreement.

**SUMMARY:** Project Shield provides life safety and security solutions to companies with over 1,400 employees and 50,000 clients across the Country. Formerly operating under a different name, as a division of a much larger entity, Project Shield has an experienced team of industry veterans with decades of experience. The company is currently expanding due to its recent separation from its parent company. The company is currently located in Boca Raton and is looking to expand its corporate headquarters. The company is also considering the expansion to one of its offices in Texas. The company plans to create 35 new permanent full-time jobs with an average annualized wage of \$110,000, excluding benefits, within two years and retain 20 existing jobs for five years. The new jobs will also be maintained for five years. Enterprise Florida is recommending to the State of Florida a QTI in the amount of \$245,000 of which \$49,000 is the required local match. The City of Boca Raton has agreed to provide one half of the local match in the amount of \$24,500. The Job Growth Incentive will be secured by a Letter of Credit or Bond. The five year local Economic Development Return on Investment is anticipated to be \$24 million. The JGI criteria approved by the Board of County Commissioners (BCC) on September 16, 1997 (R97-1267-D) requires a minimum job creation of 50 jobs. County Administration is recommending an exception to the criteria in consideration of the State and City's willingness to contribute and the local economic Return on Investment. The company will be required to enter into a formal agreement approved by the BCC memorializing their commitments and establishing criteria for funding distribution. At such time, the company name will be disclosed. **Funding from the JGI Grant will come from General Fund Contingency Reserves.** District 4 (DW)

4. REGULAR AGENDA

A. ECONOMIC SUSTAINABILITY (Cont'd)

3. **Staff recommends motion to adopt:** a Resolution of the Board of County Commissioners of Palm Beach County, Florida; approving the issuance of not exceeding \$16,400,000 Housing Finance Authority of Palm Beach County, Florida, Multifamily Housing Revenue Bonds (Palms West Project) the proceeds of which are to be used for the purpose of financing the acquisition, rehabilitation and/or equipping of a not to exceed 290 unit multifamily rental housing development to be known as Palms West; approving GA Housing LLC or other tax exempt investment fund sponsored by Red Stone Partners as the Purchaser of said Bonds and approving RBC Capital Markets, LLC as the Placement Agent with respect to the Bonds, within the meaning of Palm Beach County Code Section 2-190; and providing an effective date. **SUMMARY:** These Bonds are being issued to finance the cost of acquiring and rehabilitating a property by the name of Palms West, an existing 290 unit multifamily rental housing facility located at 1551 Quail Drive in unincorporated Palm Beach County. The Borrower is SP West Palm LP and the developer is Southport Development, Inc. These units will be rented to qualified persons and families as required by Section 147(f) of the Internal Revenue Code of 1986, as amended (Code). The Bonds will be payable solely from revenues derived from the Borrower and/or other collateral provided by or on behalf of the Borrower. Bryant Miller Olive is Bond Counsel to the Housing Finance Authority of Palm Beach County, Florida (Authority) with respect to the Bonds. The Authority will deliver the Bonds directly to GA Housing, LLC, or an affiliate thereof, as the purchaser thereof. RBC Capital Markets, LLC, will be the placement agent with respect to the Bonds. The Authority was established by the Board of County Commissioners (Board) in 1979 in accordance with Part IV of Chapter 159, Florida Statutes (Act). Section 2-190 of the Palm Beach County Code requires that all bonds of the Authority and the purchaser of such bonds must be submitted to and approved by the Board. **This funding is projected to create 637 jobs and have a five year Economic Sustainability Impact of \$52.7 million. Neither the taxing power nor the faith and credit of the County nor any County funds are pledged to pay the principal, redemption premium, if any, or interest on the Bonds.** (HFA of PBC) District 7 (PFK)
  
4. **Staff recommends motion to adopt:** a Resolution of the Board of County Commissioners of Palm Beach County, Florida authorizing the issuance of \$12,000,000 in Industrial Development Revenue Bonds, Series 2013 (Palm Beach Day Academy, Inc.) for the purpose of providing funds to refund the County's Tax-Exempt Adjustable Mode Revenue Bonds, Series 2006 (Palm Beach Day Academy, Inc. Project); approving the form of and authorizing the execution of a Loan Agreement and Indenture of Trust; awarding the sale of the bonds by a negotiated sale; approving a trustee for the bonds; authorizing certain officials and employees of the county to take all actions required in connection with the issuance of the bonds; making certain other covenants and agreements in connection with the issuance of the bonds; and providing an effective date. **SUMMARY:** Palm Beach Day Academy, Inc. (the "Company"), a local private school, has applied for the issuance of an Industrial Development Revenue (IDR) Bond by the County in an amount not to exceed \$12,000,000. Bond proceeds will be used to refinance an existing bond issued in 2006 for Palm Beach Day Academy. The 2006 Bonds were issued to refinance earlier IDR's to finance capital assets for the Company's facilities in Palm Beach and West Palm Beach. The Bond will be payable from revenues derived from the Company. The Economic Impact Analysis demonstrates a positive impact exceeding \$36 million over five years for the Palm Beach Day Academy, Inc. Project. **Neither the taxing power nor the faith and credit of the County, nor any County funds, shall be pledged to pay the principal, premium, if any, or interest on the Bond.** District 1 (PFK)

4. REGULAR AGENDA

A. ECONOMIC SUSTAINABILITY (Cont'd)

5. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida approving the issuance by the Health Facilities Authority of Palm Beach County, Florida (the "Authority") of its Hospital Revenue Bonds, in the aggregate face amount of not to exceed \$85,000,000 to provide funds for the primary purpose of making a loan to Jupiter Medical Center, Inc. to finance capital expenditures with respect to its health care facilities, to reimburse it for prior expenditures for such purpose and to refinance debt previously issued by it for such purpose; and providing an effective date. **SUMMARY:** The Authority was created pursuant to Chapter 154, Florida Statutes and by Ordinances 77-379 and 77-398 enacted by the Board of County Commissioners (Board) in 1979. The Authority is governed by a five member governing body whose members are appointed by the Board. The Internal Revenue Code requires that certain tax exempt bonds be approved by an elected governmental entity after a public hearing. Therefore, it is necessary for bond issues by the Authority to be approved by the Board. The proceeds of the bonds will be used make a loan by the Authority to Jupiter Medical Center, Inc. to make improvements to their existing health care facilities at 1210 South Old Dixie Highway in Jupiter and to refinance prior debt incurred for such purposes. **Neither the taxing power nor the faith and credit of the County, nor any County funds, shall be pledged to pay the principal, premium, if any, or interest on the Bond.** District 1 (PFK)

B. WATER UTILITIES

1. Staff recommends motion to approve:

**A)** Budget Transfer of \$3,355,000 in the Water Utilities Revenue Fund (4000) to reflect the effect of the bond refunding;

**B)** Budget Amendment of \$1,197,000 decreasing the Water Utilities Capital Improvement Fund (4011) to reflect the effect of the bond refunding;

**C)** Budget Amendment of \$2,158,000 decreasing the Water Utilities Debt Service Series 2006 Fund (4039) to reflect the effect of the bond refunding; and

**D)** Budget Amendment of \$92,033,000 increasing the Water Utilities Debt Service Series Refunding 2013 Fund (4047) to record the bond proceeds, debt service expenses and payments to escrow agent.

**SUMMARY:** On October 16, 2012 (Agenda Item 5F-1), the Board authorized the issuance of the Series 2013 Refunding Bonds for a partial refunding for the Water & Sewer Revenue Bonds, Series 2006A through a competitive-negotiated sale as recommended by the County Financing Committee and the County's Financial Advisor. Through a bid, the County awarded the sale to JP Morgan. The refunding will save the County \$6,086,272 in debt service over the life of the bonds. Countywide (MJ)

2. ADD ON: Staff recommends motion to approve on preliminary reading and advertise for a Public Hearing on April 16, 2013 at 9:30 a.m.: an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, adopting rates for the Glades Utility Authority Service area; incorporating the rates into the Palm Beach County Water Utilities Department's Uniform Policies and Procedures Manual; providing for repeal of laws in conflict; providing for severability; providing for inclusion in the code of laws and ordinances; and providing for an effective date. **SUMMARY:** On January 15, 2013, the Palm Beach County Board of County Commissioners (County) approved the First Amendment to the Interlocal Agreement Establishing the Glades Utility Authority (First Amendment). Pursuant to the First Amendment, the County will absorb the Glades Utility Authority (GUA) water and wastewater system and customers and reduce current rates by 6.5%. These reduced rates will be charged to customers for a period of eight (8) years. After the initial eight (8) years, the GUA's rates will revert to the County's rates plus seven (7) percent. Existing GUA rates are approximately 75% higher than current County rates, and revenue from the rate differential will be used to pay debt service on the bonds being absorbed and to pay "Host Fees" to the Cities of Belle Glade, Pahokee, and South Bay. The proposed ordinance will adopt the rates currently being charged by the GUA and include those rates in Chapter 6 of the Water Utilities Department's Uniform Policies and Procedures (UPAP) Manual. The revision does not affect any rates currently being charged to existing Water Utilities customers. District 6 (MJ)

4. REGULAR AGENDA

C. FACILITIES DEVELOPMENT & OPERATIONS

**TIME CERTAIN 5:45 P.M.**

1. Staff recommends motion to approve:

**A)** a Civic Site Dedication Agreement with Boynton Beach Associates XXIV, LLLP; Boynton Beach Associates XIX, LLLP; Delray Beach Associates I, LLC; Boca Raton Associates VI, LLLP; Atlantic Commons Associates, LLLP; Boca Raton Associates VII, LLLP; and Boca Raton Associates VIII, LLLP; and

**B)** a Memorandum of Agreement between the County and Atlantic Commons Associates, LLLP;

**C)** a Termination of Memorandum of Agreement; and

**D)** a Budget Amendment of \$200,000 in the Civic Site Fund recognizing cash out revenue received and establishing a project expense budget.

**SUMMARY:** Pursuant to this Civic Site Dedication Agreement, GL Homes, through its various development entities, will convey to the County a 6.276 acre civic site within the Atlantic Commons PUD at the northeast corner of Atlantic Avenue and the Turnpike and cash out the balance of GL Homes' civic dedication requirements for its Ag Reserve development projects for the sum of \$2,854,477. This civic site dedication will provide sufficient land to meet the foreseeable demand for County services arising out of development in the Ag Reserve, from a site which is just outside the boundaries of the Ag Reserve. The cash out of the civic dedication requirement does not allow GL Homes to increase the number of units it can develop within its projects. The cash out funds will assist in offsetting the cost of development for County facilities serving the West Delray area. The Budget Amendment recognizes the \$200,000 that GL is required to pay within 90 days of the execution of this Agreement and establishes budget for pre-construction services for renovations to the old West Atlantic Library building for use by the Palm Beach County Sheriff's Office as a substation to house District 4 and the Countywide Traffic Unit as contemplated by the 5-Year Capital Improvements Program. The Memorandum will be recorded and provide public notice of the County's rights under this Agreement. The Termination of Memorandum will be held in escrow and recorded at closing of the civic site. **These Agreements must be approved by a supermajority vote (5 Commissioners).** (PREM) District 5 (HJF)

4. REGULAR AGENDA

C. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

2. Staff recommends motion to:

**A) adopt** a Resolution authorizing the Lease of Certain Real Property to Alzheimer's Community Care, Inc., for the provision of an adult day care dementia specific unit in partnership with the Division of Senior Services; and

**B) approve** a Lease with the Alzheimer's Community Care, Inc. for 1080 square feet of space located at the Mid-County Senior Service Center at 3680 Lake Worth Road, Lake Worth at an annual rent of \$13,200 payable in equal monthly installments of \$1,100 per month.

**SUMMARY:** On June 29, 2010, the Board authorized staff to initiate negotiations with the Alzheimer's Community Care, Inc. (ACC) for the provision of an adult day care dementia specific unit at the Mid-County Senior Center in partnership with the Department of Senior Services (DOSS). DOSS currently offers an adult day care program for persons with mild to moderate dementia at the Senior Center located at 3680 Lake Worth Road. Pursuant to the Lease, ACC will occupy 1080 square feet within the Senior Center and will utilize the leased space to establish a dementia specific unit. ACC will serve up to 24 persons with moderate to severe dementia who are not currently receiving County services, facilitate the electronic monitoring program, provide access to the Family Nurse Consultant Program, and provide public education in partnership with the DOSS. The ACC will provide a congregate meal site at the Senior Center while County will contract with a vendor to provide nutrition services for clients at the Senior Center. ACC's hours of operation will be 7:30AM – 5:30 PM Monday through Friday, excepting County holidays. The term of the Lease commences upon the ACC receiving its Adult Day Care License and any other permits required for operation of the program and shall continue for a period of two years, with two options to renew, each for one year. The ACC anticipates an August 2013 program launch. The annual rent is \$13,200 payable monthly in equal installments of \$1,100 per month which will offset costs to DOSS associated with administering the lease and the various program components which will be undertaken by, or billed to DOSS. The County is responsible for repairs, routine maintenance, and will continue to pay routine utilities necessary for general office purposes. The County has the right to terminate the Lease if ACC is unable to secure the permits necessary to operate. Once ACC is operating within the Center, either party has the right to terminate the Lease with 120 day notice. (PREM) District 3 (HJF)

4. REGULAR AGENDA

D. COMMUNITY SERVICES

1. **Staff recommends motion to approve:** initiation of the following actions in response to reductions in funding associated with the Federal Budget Control Act of 2011 (Sequestration):

**A) Head Start**

1. Eliminate transportation services for grantee sites effective June 2013.
2. Relocate Delray Head Start classrooms to the School District.
3. Relocate 24 Early Head Start children from Hispanic Human Resources to Highlands Elementary and Family Central.
4. Transfer lapsed salary in FY '13.
5. Utilize VPK reserves balance.

**B) Senior Services**

1. Elimination of breakfast for both congregate and home delivered sites.
2. Transfer lapsed salary in FY '13.

**C) Community Action Program**

1. CSBG-Reduce emergency services, rental assistance, and employment training
2. LIHEAP-Reduce utility assistance payments.

**D) Ryan White HIV/AIDS**

1. Reduce fund transfer to AIDS Drug Assistance Program (ADAP).

**SUMMARY:** The Department of Community Services receives federal funding for early childhood education and various social service programs serving seniors and low-income families. Due to the sequestration, program reductions and fund transfers are necessary. The strategies being recommended reduce program budgets in accordance with the federal mandates while maintaining critical program components and minimizing service-level impacts.

The Head Start recommendations will require the elimination of approximately 14 bus driver and rider positions, and the eventual displacement of approximately 10 teachers and classroom staff. We will work with the School District Office of Early Education to obtain the maximum amount of hiring of affected staff. These strategies should eliminate the need for forced reductions in enrollment or shortening of the school year. The reductions in the Senior Service, Community Action and Ryan White programs will impact current clients through service reductions and, in some cases, our ability to serve new clients. The programs are operating at minimal staffing configurations and direct service cuts are unavoidable. The cuts are detailed in the budget cut proposal. Countywide (TKF)

4. REGULAR AGENDA

E. ADMINISTRATION

1. **Staff requests Board direction:** on a draft letter to Florida's Congressional Delegation calling on Congress and the Administration to reject any proposals that harm the financing of local infrastructure projects by changing the tax-exempt status of municipal bonds. Municipal bonds provide a low-cost and efficient way for counties to finance much of America's critical infrastructure. **SUMMARY:** As Congress deliberates tax policy and changes to the current status of some exemptions, local governments urge the maintenance of tax-exempt status for municipal bonds. Tax-exempt municipal bonds are the single most important tool that counties use for financing our critical infrastructure. Any change to the taxation status of often voter-approved debt issued by counties risks local public works projects that benefit communities and puts into question the nature of the U.S federalist partnership. The tax exemption for municipal bond interest has been in law since the creation of the federal income tax 100 years ago. Under the federal tax code, investors are not required to pay federal income tax on interest earned from most bonds issued by state and local governments. As a result of this tax exemption, state and local governments receive a lower interest rate on their borrowing than they would if their interest was taxable to investors. The tax exemption can save states and localities up to two percentage points on their borrowing rates under typical market conditions. Countywide (DW)
  
2. **Staff requests Board direction:** on a Resolution of the Board of County Commissioners of Palm Beach County, Florida, requesting the Legislature to support House Bill 97 by Representative Bobby Powell relating to Concealed Weapons and Firearms. **SUMMARY:** The County had four ordinances and two resolutions related to gun control that had to be repealed due to the enactment of Chapter 2011-109 Laws of Florida. The County concurs with the position of the Florida Association of Counties on Home Rule that a local government is often best able to enact local rules and ordinances to protect the safety of its residents and visitors. House Bill 97 by Representative Bobby Powell would allow the restoration of some home rule authority by allowing the Legislature to create an exception to the preemption of the regulation of firearms to allow a state agency or local government to prohibit the possession of a concealed firearm and ammunition at specified publicly sanctioned or sponsored events conducted in public buildings or at government-sponsored outdoor public venues. Countywide (DW)
  
3. **ADD ON: Staff requests direction on:** a request from Commissioner Shelley Vana for payment of a sponsorship fee of \$2,500 to the Central Palm Beach County Chamber of Commerce for support of the 2013 Florida Green, Energy & Climate Conference/Expo, May 22-23, 2013. **SUMMARY:** Commissioner Vana has requested that the County participate in the 2013 Florida Green, Energy & Climate Conference/Expo as a sponsor. Sponsor benefits include an exhibitors booth, conference passes, and inclusion of the County logo on all communications relating to the conference. This annual event joins together eco businesses with green energy leaders from municipalities, counties and regional agencies throughout the State of Florida to network and to learn and discuss sustainable ways of fulfilling Florida's energy needs through the development and use of renewable energy technology. It also showcases green technologies and sustainability concepts. There is no current board policy or budget line for paid sponsorship of non-County events. If the request is approved, staff recommends one-time use of promotional funds from the Department of Public Affairs operating budget. Prior to FY 09-10, event sponsorships were funded through the Recreation Assistance Program (RAP). Countywide (MJ)

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5. BOARD APPOINTMENTS

A. PUBLIC SAFETY  
(Emergency Medical Services Advisory Council)

1. Staff recommends motion to approve: the appointment of one “At Large Seat” to the Emergency Medical Services Advisory Council (EMS Council) for the terms indicated:

<u>Appoint</u>	<u>Representing/Seat #</u>	<u>Term</u>	<u>Nominated by:</u>
Michael McCumber	ER Nurses Forum #2	04/02/13 – 04/01/15	Self nominated
<b>OR</b>			
Carol Milliken	ER Nurses Forum #2	04/02/13 – 04/01/15	Comm. Valeche
<b>OR</b>			
Peggy Karrh	ER Nurses Forum #2	04/02/13 – 04/01/15	Comm. Burdick
<b>OR</b>			
Margaret Neddo	ER Nurses Forum #2	04/02/13 – 04/01/15	Self nominated
<b>OR</b>			
Colette Cattafi	ER Nurses Forum #2	04/02/13 – 04/01/15	Comm. Vana
<b>OR</b>			
Tressa Harris-Jones	ER Nurses Forum #2	04/02/13 – 04/01/15	Comm. Taylor

**SUMMARY:** Per Resolution (R2009-0248), the Board of County Commissioners approved a representative make-up of the Emergency Medical Services Council to include eighteen members. Eleven members are representatives of the various components of the EMS system with specific requirements and seven members are Commission District Consumer appointments. A memo was sent to all Board members on January 4, 2013 seeking nominations for the above one at-large seat. Countywide (PGE)

B. COMMISSION DISTRICT APPOINTMENTS

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APRIL 2, 2013

6. MATTERS BY THE PUBLIC – 6:00 P.M.

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**APRIL 2, 2013**

**7. STAFF COMMENTS**

**A. ADMINISTRATION COMMENTS**

**B. COUNTY ATTORNEY**

APRIL 2, 2013

**8. COMMISSIONER COMMENTS**

**A. District 1 – COMMISSIONER HAL R. VALECHE**

**B. District 2 – COMMISSIONER PAULETTE BURDICK**

**C. District 3 - COMMISSIONER SHELLEY VANA**

Request approval to present off-site, a Proclamation welcoming American Dental Society of Anesthesiology Annual Session to Palm Beach County.

**ADD-ON:** Request approval to present off-site, a Proclamation declaring April 2013 as “Distracted Driving Awareness Month” in Palm Beach County.

**D. District 4 – COMMISSIONER STEVEN L. ABRAMS, MAYOR**

**E. District 5 - COMMISSIONER MARY LOU BERGER**

**F. District 6 - COMMISSIONER JESS R. SANTAMARIA**

**G. District 7 - COMMISSIONER PRISCILLA A. TAYLOR, VICE MAYOR**

**9. ADJOURNMENT**

"If a person decides to appeal any decision made by this Commission with respect to any matter considered at this meeting or hearing, he will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record

includes the testimony and evidence upon which the appeal is to be based."